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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,356	12/07/2001	Miikka Poikselka	1135.40953X00	7875

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EXAMINER

AL AUBAIDI, RASHA S

ART UNIT PAPER NUMBER

2642

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,356

Applicant(s)

POIKSELKA ET AL.

Examiner

Rasha S. AL-Aubaidi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on August 22, 2005 has been entered. No claims have been amended. Claims 1-29 have been cancelled. Claims 30-54 have been added. Claims 30-54 are now pending in this application, with claims 30, 39, 48 and 53 being independent.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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3. Claims 30-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faccin et al. (US PAT # 6,571,092) in view of Fenner (US PAT # 5,095,480).

As for claim 30, Faccin et al. discloses a method for enabling a callback from an entity (or PSAP/Emergency Center and CFCF) to an equipment (or mobile terminal, MT) initiating a session (See Abstract, lines 1-4 and Col. 1, lines 31-34), comprising, storing a record for the equipment (or "allocates a CBN to the terminal") containing information for the session by the entity (See, Col. 2, lines 28-33) and at least one node (or SGSN/GGSN) involved in handling the session (See Col. 3, lines 19-38), each stored record including an identity of the equipment (or temporary ID/TMSI) and an address of at least one other node (or IP address) (See Col. 3, lines 23-28) to which signaling is to be addressed from the node storing the record in case of call-back from the entity to the equipment (See Col. 3, lines 39-55) and sending the identity of the equipment, and the address of the at least one other node from a node to another node or the entity in a message for initiating the session, and wherein, in case of a call-back, a node uses the received equipment identity to find, in its stored record, the address of another node for sending, to the another node, a message related to the call-back (See Claims 1-2).

Faccin does not specifically teach storing by a node an address of any preceding node.

However, Fenner teaches within a message routing system for shared communication media networks, a new network node sends a message to the switch in the old network node and stores the source address of the new node in the route record (col. 14, lines 10-13). Fenner also teaches keeping track of the source address of the various nodes that are transmitting information (col. 14, lines 14-15).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of storing or tracking the address of any previous node in the new node, as taught by Fenner, into the Faccin in order to keep track of the record and other information that can be used to place the call back to the user. Also advantages of storing nodes record and information are well known in the art. Note that, keeping track of the record helps to recover from a node failure in the event of disasters.

Claims 39, 48-49 and 50-54 are rejected for the same reasons as discussed above with respect to claim 30.

Regarding claims 31 and 40, Faccin et al. discloses an emergency call (i.e. session) into a PSAP/Emergency center being dropped for any reason. (i.e. wherein the entity is an emergency center, and the session is an emergency session) (See *Detailed Description, Col. 2, lines 12-17*).

Claims 32 and 41 recite “the message is a SIP message”. Having a SIP message is absolutely inherent within the digital environment (Internet). Thus, it is inherent limitation in Faccin.

As for claims 33 and 42, it is inherent from Faccin’s et al. system that the information received from the mobile terminal when making an emergency call to the PSAP will be stored for a pre-determined amount of time, so that the PSAP can perform initiate a callback if the call is accidentally dropped (i.e. wherein the information for the session is stored for a predetermined time after the session initiation).

Claims 34 and 43, recite “the nodes are IMS nodes”, this is already taught by Faccin (see col. 1, lines 41-45 and col. 2, lines 19-39).

As for claims 35 and 44, it is inherent from Faccin’s et al. system that the nodes include a timer for measuring the predetermined time, as it is well known in the art, that a timer is set for the old PDP Context allowing packets arriving at the old GGSN to be forwarded to the user. If this timer is set to zero, the PDP Context at the old GGSN is deleted immediately after the new PDP Context is created (i.e. the nodes include a timer for measuring the predetermined time).

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As for claims 36 and 45, Faccin et al. discloses that a call setup for call back is arranged between the PSAP and the mobile terminal if the call (i.e. session) is dropped for any reason and the PSAP wishes to call back the mobile terminal. (i.e. if the session is released before normal completion thereof, the third node or the emergency centre starts a call-back procedure)(See *Detailed Description, Col. 2, lines 56-61*).

As for claims 37 and 46, while Faccin does not mention that the entity is in the switched circuit domain, it is well known in the art that the PSAP exists as part of the Public Switched Telephone Network. Thus it is inherent that the entity is in the CS domain. (i.e. wherein the third node or the emergency equipment is in the CS domain).

As for claims 38 and 47, it is inherent for this type of system, to carry the equipment identity in the Calling Line Parameter of the ISUP message to the Signaling Gateway. (i.e. wherein the equipment identity is carried in the Calling Line parameter of the ISUP message to a Signaling Gateway).

Response to Arguments

4. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

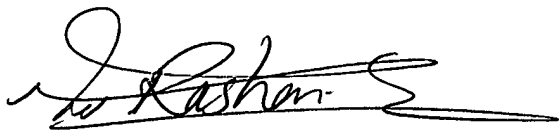
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Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rasha S AL-Aubaidi whose telephone number is (571) 272-7481. The examiner can normally be reached on Monday-Friday from 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar, can be reached on (571) 272-7488.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Rasha S. Al-Aubaidi', with a stylized flourish at the end.

**Examiner
Rasha S. Al-Aubaidi
Art Unit 2642
11/28/2005**